



Department of Justice

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Eastern District of Tennessee

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MEMBERS OF A MAJOR MARIJUANA DRUG TRAFFICKING ORGANIZATION ARRAIGNED IN FEDERAL COURT TODAY

[JOHNSON CITY, TENNESSEE]: Two defendants involved in a marijuana drug trafficking organization operating in Tennessee, Texas, Kentucky, North Carolina, Nevada, Nebraska, and California were arraigned yesterday in Greeneville, Tennessee, before United States Magistrate Judge Dennis H. Inman on federal conspiracy charges involving the distribution and the possession with the intent to distribute more than 1,000 kilograms of marijuana within the Eastern District of Tennessee and elsewhere. Those appearing in federal court yesterday were Mitchell Graska and Justin Blake Saldivar. The evidence obtained during the investigation indicates that the organization is responsible for the distribution of in excess of 24,000 pounds of marijuana.

On November 12, 2008, a federal grand jury sitting in Greeneville, Tennessee, indicted a total of 33 people on 22 separate counts including, in addition to the conspiracy to distribute and to possess with the intent to distribute marijuana, a conspiracy to manufacture more than 1,000 marijuana plants, possessing firearms in furtherance of drug trafficking crimes, and several charges related to the actual distribution of marijuana. If convicted, the defendants face a mandatory term of imprisonment of 10 years, a fine of \$4,000,000.00, a term of supervised release of at least 4 years, and mandatory court assessments. In addition, the firearms charges all carry a term of imprisonment of 5 years which, by federal law, is imposed consecutively to the sentence for the drug trafficking offense. Those defendants who are in the country illegally will also face deportation at the conclusion of the service of any imprisonment. The indictment is filed as a public record at the United States District Court, Greeneville, Tennessee.

The indictment is the result of a joint investigation between the Drug Enforcement Administration (DEA) in Johnson City, Tennessee, and the Washington County Tennessee Sheriff's Office, code-named "Operation Talisman." Sheriff Ed Graybeal provided extensive man power to assist in the investigation, which developed ties from members of the organization in Washington County, Tennessee to Louisville, Kentucky, Springfield, Illinois, McDowell County, North Carolina, Madison, Nebraska, Las Vegas, Nevada, San Bernardino, California, Houston, Texas, and McAllen, Texas.

Agents with the Tennessee First Judicial Drug Task Force, Johnson City Tennessee Police Department, Tennessee Highway Patrol (THP), Jonesborough Tennessee Police Department, Bristol Tennessee Police Department, Unicoi County Tennessee Sheriff's Office, Carter County Tennessee Sheriff's Office, Portland Tennessee Police Department, Louisville, Kentucky Police Department, Houston Texas Police Department, McAllen Texas Police Department, San Bernardino California Police Department, Texas Department of Safety - Highway Patrol and Narcotics Division, McDowell County North Carolina Sheriff's Department, Madison County North Carolina Sheriff's Department, Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), the United States Border Patrol, the National Park

Service Rangers, stationed on the Blue Ridge Parkway, and the United States Forest Service, also provided invaluable assistance during the course of the investigation.

During the investigation, DEA agents and Washington County Sheriff's Office investigators discovered that members of the organization were using iconic figures from the Mexican culture as a means to protect themselves from law enforcement agents and to provide them with luck. These figures include "La Santa Muerta," known in Mexican culture and the "Saint of Holy Death," and "Jesus Malverde," who is commonly referred to as the "Patron Saint of Narco Traffickers." Neither figure is recognized by the Catholic Church. The worship of these figures is becoming more widespread across the United States, and this investigation marks the first significant encounter of these figures in the Eastern District of Tennessee.



La Santa Muerta



Jesus Malverde

During the investigation, law enforcement agents seized more than \$150,000.00 in U.S. currency, numerous firearms, 789 kilograms of packaged marijuana, and 3,717 marijuana plants which were discovered by an off-duty employee of the United States Forest Service in McDowell County, North Carolina. The money seized has either been forfeited to the state and federal agencies involved or is pending forfeiture. The indictment includes a money judgment against six individuals in the amount of \$6,000,000.00 which represents the amount of proceeds obtained as a result of the drug trafficking as well as three residences and one business property which were used to facilitate the conspiracy and which are subject to forfeiture.

Included in the indictment are the following individuals:

Jesus Huerta, age 25, of Johnson City, Tennessee
Wiley E. Barnett, age 43, Johnson City, Tennessee
Francisco Urbina, age 22, Mexican Citizen
Jaimes Esquivel-Lausin, age 25, Mexican Citizen
Ramon Cervantes-Gomez, age 21, Mexican Citizen
Julio Cervantes-Diaz, age 48, Mexican Citizen
Raymundo Miller-Guerra, age 45, Houston, Texas
Francisco Lozano, age 51, Houston, Texas
Javier Flores-Delacruz, age 36, Pharr, Texas
Mitchell Graska, age 39, Houston, Texas
Nicholas Sorto, age 37, El Salvador Citizen
Jose Luis Colunga, age 27, Bristol, Tennessee
Hector Aceves-Cruz, age 24, San Jacinto, California
Guadalupe Avendano-Ruiz, age unknown, Las Vegas, Nevada
Juan Jose Colunga, age unknown, San Juan, Texas
Justin Blake Saldivar, age 20, Mercedes, Texas
Juan Javier Colunga, age 21, Madison, Nebraska
Carlos Hernandez, age 22, Erwin, Tennessee
Gustavo Gamino-Villa, age 21, Mexican Citizen
Victor Hugo Vizcarra-Lopez, age 30, Mexican Citizen
Hector Cigarroa, age 33, Johnson City, Tennessee
Richard Wards, also known as Ricky Tipton, age 38, Elizabethton, Tennessee
Jeremy Bennett, age 23, Johnson City, Tennessee
Jonathan Shell, age 21, Johnson City, Tennessee
Rosa Colunga, age 50, Bristol, Tennessee
Matt Odom, age 32, Johnson City, Tennessee
Michael Osborne, age 32, Jonesborough, Tennessee
Jeff Fair, age 26, Jonesborough, Tennessee
Jeff Bailey, age 34, Madison, Nebraska
Melody Colunga Bailey, age 22, Madison, Nebraska
Kelly Leonard, age 26, Johnson City, Tennessee
Benjamin Collin Brooks, age 20, Johnson City, Tennessee
Derrick Carson, age 33, Johnson City, Tennessee

As of today, 28 of those defendants named in the indictment have been arrested by the DEA. One of those, Jeff Bailey, is a former Washington County Sheriff's Office detention officer and deputy sheriff. He was terminated in 2003 by Sheriff Graybeal for a violation of general orders. In addition, the investigation resulted in a separate indictment against Jimmy Fox for being a drug user in possession of a firearm. Fox is a former Washington County Constable, Washington County detention officer, Bluff City Police Department auxiliary officer, and Unicoi County Sheriff's Office detention officer. Fox was recently terminated by the Unicoi County Sheriff's Office and was charged with state offenses resulting from activities he engaged in while on duty.

“I am extremely proud of the cooperative efforts of the investigators from the numerous law enforcement agencies led by the DEA to expose and arrest the individuals involved in one of the largest drug conspiracies exposed in East Tennessee,” stated United States Attorney James R. “Russ” Dedrick. Dedrick especially commended Washington County Sheriff Ed Graybeal and his highly professional deputies for the hard work and excellent investigative support they provided to the DEA and the United States Attorney’s Office. United States Attorney Dedrick also praised the hard work and dedication of Assistant United States Attorney Caryn Hebets, from his office, who has worked with the investigators and is representing the United States in these cases.

Washington County Sheriff Ed Graybeal said that he was immensely proud of the men and women who serve the citizens of Washington County under his watch. Sheriff Graybeal added, “together we will continue to root out those who profit off the back of drug addiction no matter what their position in life or where they may try to hide. I am committed to drug enforcement because I believe virtually all other violent and property crimes arise as a result of drug trafficking and/or drug addiction. In addition to tasking the Washington County Deputies in the Patrol Division and Investigators in the Criminal Investigation Division with this responsibility, Washington County has an investigator assigned to the Drug Enforcement Administration.”

Sheriff Graybeal would like to thank “our friends and neighbors of Washington County for their support of our men and women who are dedicated to making our community a safer place for us all. This operation was a success partly because of community involvement, continuous tips which came into the sheriff’s office from the citizens of Washington County; and due to the interagency cooperation that has occurred in this lengthy conspiracy investigation.”

“For those opportunistic and immoral drug dealers who see this operation as an chance to fill a void left by the removal of such a sizeable number of large scale drug traffickers in our county, and who are not deterred by the federal sentencing guidelines, remember this- Your days are numbered.” added Sheriff Graybeal.

Rodney G. Benson, Special Agent in Charge of the DEA Atlanta Field Division stated, “Marijuana is frequently a precursor to the abuse of more dangerous drugs. Research has shown that teens that used marijuana within the last month are 26 times likelier to use another drug than those who have never used marijuana. This investigation illustrates that success can be achieved through the combined efforts of federal, state and local law enforcement.”

Members of the public are reminded that an indictment constitutes only charges and that every person is presumed innocent until their guilt has been proven beyond a reasonable doubt.

For additional information, please contact United States Attorney Russ Dedrick, 865-545-4167, Assistant U.S. Attorney Caryn L. Hebets, 423-282-1889, or Public Information Officer Sharry Dedman-Beard, 865-545-4167.